

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 133, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Replace the effective date in SECTION 1 with "[JANUARY 1,
- 2 2004]".
- 3 Page 1, line 6, after "laws;" insert "**or**".
- 4 Page 1, line 7, delete "or".
- 5 Page 1, line 9, delete "(4)".
- 6 Page 1, line 9, strike "a determination, a permit, or an order made or
- 7 issued by".
- 8 Page 1, strike lines 10 through 11.
- 9 Page 2, after line 5, begin a new paragraph and insert:
- 10 "SECTION 2. [EFFECTIVE JULY 1, 2001] **(a) For purposes of**
- 11 **this SECTION, "council" refers to the environmental quality**
- 12 **service council.**
- 13 **(b) If the council is reestablished by the general assembly and is**
- 14 **in existence on July 1, 2001, the council shall carry out the**
- 15 **requirements of subsections (c) through (f).**
- 16 **(c) The council shall review:**
- 17 **(1) the rules and standards referred to in IC 13-30-6-1(a)(4)**
- 18 **(before its amendment by this act); and**
- 19 **(2) the types of:**
- 20 **(A) determinations;**

- 1 **(B) permits; and**
2 **(C) orders;**
3 **referred to in IC 13-30-6-1(a)(5) (before its amendment by**
4 **this act).**
5 **(d) The council shall adopt recommendations as to:**
6 **(1) which intentional, knowing, or reckless violations of rules**
7 **and standards referred to in subsection (c)(1) (or parts of**
8 **those rules and standards) constitute:**
9 **(A) a misdemeanor; or**
10 **(B) a felony; and**
11 **(2) which intentional, knowing, or reckless violations of types**
12 **of determinations, permits, and orders referred to in**
13 **subsection (c)(2) (or parts of those types of determinations,**
14 **permits, and orders) constitute:**
15 **(A) a misdemeanor; or**
16 **(B) a felony.**
17 **(e) Before adopting final recommendations under subsection (d),**
18 **the council shall hold a public hearing on its proposed**
19 **recommendations. The council shall give notice of the public**
20 **hearing under IC 5-3-1.**
21 **(f) Before December 1, 2002, the council shall submit to the**
22 **legislative council in bill form its final recommendations adopted**
23 **under subsection (d).**
24 **(g) If the council is not in existence on July 1, 2001, the**
25 **legislative council shall:**
26 **(1) designate an existing interim study committee; or**

- 1 **(2) establish an interim study committee;**
2 **to carry out the requirements of subsections (c) through (f).**
3 **(h) This SECTION expires January 1, 2003."**
 (Reference is to SB 133 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

Gard

Chairperson